

March 2, 2001

(File No. 06-0261)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

**NOTICE OF VIOLATION NO. 2001-26
FOR
COUNTY OF ORANGE, IWMD
PRIMA DESHECHA LANDFILL
ORANGE COUNTY**

YOU ARE HEREBY NOTIFIED THAT:

On October 17, 2000, California Regional Water Quality Control Board, San Diego Region ("Regional Board") conducted a routine compliance inspection at the Prima Deshecha Sanitary Landfill. In a letter dated October 27, 2000 the Regional Board identified our concerns regarding inadequate drainage and erosion controls in the Zone 1 stockpile area, located adjacent to the Prima Deshecha Cañada Creek. On January 12, 2001 the Regional Board conducted a follow-up inspection of the Zone 1 stockpile area. The erosion of sediment from the stockpile and landfill maintenance road has created a condition of pollution, as defined by the California Water Code Section 13050, in the Prima Deshecha Cañada creek. The County of Orange has failed to implement effective erosion and drainage control measures for the stockpiles and maintenance roads located at the facility. Additional measures are required to effectively prevent further infiltration of water into the soil stockpile area. The discharge of soils from the Zone 1 stockpile area has created erosional conditions whereby stormwater discharges contain pollutants (sediments) derived from site related grading operations. Further, the discharge of soil into the Zone 1 stockpile area has created and/or exacerbated rapid geologic changes (i.e., a landslide) which also threatens to create a condition of pollution in waters of the state.

Summary of Violations

1. FAILURE TO PREVENT ILLEGAL DISCHARGES / IMPLEMENT ADEQUATE BMPs

Orange County Industrial Waste Management Division (IWMD) failed to prevent discharges of sediment to waters of the United States (Prima Deshecha Cañada Creek) through the implementation of appropriate/adequate Best Management Practices (BMPs).

After a rain event on January 12, 2001, Regional Board staff observed and documented the lack of erosion control BMPs and failure of sediment control BMPs to prevent sediment from entering the Prima Deshecha Cañada creek along landfill maintenance roads and from the Zone 1 Stockpile Area. Evidence of sediment discharge and inadequate BMPs were observed as follows:

Landfill Maintenance Roads

- A) Hay bales, installed as erosion control measures on the maintenance road, had been dislodged from their anchors and transported down the road. In other areas, hay bales along the edge of the maintenance road were undercut by run-off water draining into the creek. Without the hay bales properly placed or maintained, there were no BMPs in place to prevent soil from entering the creek
- B) Sandbags placed on the maintenance road as erosion and drainage control measures have been washed into the creek or are lying broken on the road. Without the sand bags appropriately placed and maintained, there were no BMPs in place to prevent soil from entering the creek. Furthermore, the broken sand bags resulted in a discharge of sediment caused by unmaintained BMPs.
- C) The maintenance road located on the north side of the creek was washed out in several areas. The washout areas provide pathways for sediment discharges directly into the creek.

Zone 1 Stockpile Area

- A) The stockpile soils are not adequately covered (e.g., by vegetation or other measures) to prevent erosion of soil into the creek. A considerable volume of soil was observed to be eroding from the stockpile into the creek.
- B) The stockpile appears to slope towards a central drainage point, resulting in a concentration of the discharge into a lined drainage channel leading to the creek. The drainage channel traverses the vertical height of the soil stockpile with minimal erosion controls. The system does not contain adequate measures to reduce the velocity of run-on as it reaches the stockpiled soils in Zone 1.

2. FAILURE TO SUBMIT REQUIRED INFORMATION / NOTIFICATION

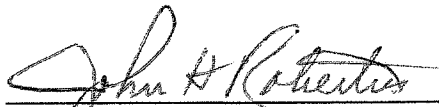
On January 12, 2001 Regional Board staff observed and documented several new surface cracks / head scarps in and around the Zone 1 Stockpile Area. These surface cracks / head scarps indicate the instability of the area, and associated geologic hazards. Orange County IWMD failed to notify the Regional Board when they first became aware of these hazards, which we believe to be a result of the placement of stockpiled soils in a generally unstable area. The stockpiled soils are from grading activities undertaken during the lateral expansion of the Prima Deshecha Landfill.

The conditions cited above are violations of discharge prohibitions identified in: a) the Water Quality Control Plan for the San Diego Basin (9) ["Basin Plan"]; b) State Water

Resources Control Board Water Quality Order No. 97-03-DWQ, National Pollutant Discharge Elimination System General Permit No. CAS000001: ("Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities"), c) existing waste discharge requirements for the "Prima Deshecha Cañada Sanitary Landfill, Orange County" Order No. 89-102; d) the California Water Code; and (e) the California Code of Regulations, Title 27, Chapter 4, Section 21710(c)(2).

The violations cited above are serious and may result in a civil liability being administratively implemented by the Regional Board under authority of Sections 13350 and 13385 of the California Water Code (CWC). The CWC provides that any person who intentionally or negligently violates any waste discharge requirements issued, reissued, or amended by this Regional Board may be subject to administrative civil liability up to \$1,000 dollars per day of the violation. The Superior Court may impose civil liability of up to \$15,000 dollars per day of the violation.

Copies of the inspection reports and photos compiled from our recent inspection are enclosed for your reference. If you have any questions regarding this letter, or require additional information, please contact Mr. John Odermatt at (858) 637-5595 (Land Discharge Unit) or Mr. John Phillips at (858) 627-3928 (Industrial Compliance Unit).



JOHN H. ROBERTUS

Executive Officer

California Regional Water Quality Control Board

2-28-2001

Date

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Enclosures

cc: Mr. John Odermatt, RWQCB Water Resources Protection Branch – Land Discharge Unit

Mr. John Phillips, RWQCB Watershed Branch – Industrial Compliance Unit

Mr. Mark Alpert, RWQCB Watershed Branch – Compliance Assurance Unit

Ms. Stacey Baczkowski, RWQCB Watershed Branch – Northern Watershed Unit

Ms. Patricia Henshaw, Supervising Hazardous Waste Specialist
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Ms. Vicki White, U.S. Army Corps of Engineers, Los Angeles District - Regulatory Branch
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